In the High Court of Judicature at Madras

Dated: 11.04.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.4125 of 2003

Chitty Babu .. Petitioner

..vs..

1. The State of Tamil Nadu,
   rep. by the Secretary to Government,
   Housing & Urban Development Department,
   Fort St.George, Chennai-600 009.

2. Chennai Metropolitan
   Development Authority,
   rep. by its Member Secretary,
   Thalamuthu Natarajan Building,
   8, Gandhi Irwin Road,
   Chennai-600 008. .. Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus to call for the records comprised in the proceedings of the second respondent Lr.No.B2/33448/02 dated 31.01.2003 and quash the same in so far as it relates to the demand of security deposit for septic tank with upflow of filter and consequently direct the respondents to grant planning permission for constructing residential building (Group Development) consisting of 48 dwelling units at S.No.635/1A1B Pallikaranai Village, Chennai, without insisting on security deposit for septic tank within such time as may be fixed by this Court.

For Petitioner : Mr. K.Rajasekar
For 2nd Respondent : Mr.J.Ravindran
For 1st respondent : Mr.K.Elango,
Spl. Govt. Pleader

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ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

Learned counsel for the petitioner seeks permission to withdraw the above writ petition. He also made an endorsement to that effect in the writ petition.

2. Accordingly, permission is granted and the writ petition is dismissed as withdrawn. However, it is made clear that the petitioner is free to challenge the provisions contained in Rule 19(b)(III)-(B) of the Development Control Rules, if need arises, at the appropriate time. No costs.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Secretary to Government,
   State of Tamil Nadu,
   Housing & Urban Development Department,
   Fort St.George, Chennai-600 009.

2. The Member Secretary,
   Chennai Metropolitan
   Development Authority,
   Thalamuthu Natarajan Building,
   8, Gandhi Irwin Road,
   Chennai-600 008.

+ 1 cc to Mr. K. Rajasekar, Advocate SR No. 23174

W. P. No.4125 OF 2003

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